

REMARKS

The Official Action mailed July 18, 2006, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Filed concurrently herewith is a *Request for Continued Examination*. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on March 18, 2004; and October 15, 2004.

Claims 14-25 were pending in the present application prior to the above amendment. Claim 16 have been amended to better recite the features of the present invention; and new dependent claims 26 and 27 have been added to recite additional protection to which the Applicant is entitled. Claims 14, 15 and 18-25 have been withdrawn from consideration by the Examiner (page 2, Paper No. 12092005). Accordingly, claims 16, 17, 26 and 27 are currently elected, of which claim 16 is independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claim 16 as anticipated by U.S. Patent No. 4,924,279 to Shimbo. The Applicant respectfully submits that an anticipation rejection cannot be maintained against independent claim 16 of the present application, as amended.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claim 16 has been amended to recite that a semiconductor film comprises an organic material. Shimbo does not teach the above-referenced features of the present invention, either explicitly or inherently.

In general, performance of an organic TFT (TFT comprising an organic material as a semiconductor layer) is less than that of a silicon TFT (TFT comprising a silicon as

a semiconductor layer). The performance of the organic TFT can be improved by means of a ratio of channel-width to channel-length (W/L). However, there is a problem that an area of the organic TFT increases when the channel width (W) is enlarged for increasing the W/L ratio (page 2, lines 28-29). Also, it is difficult to decrease the channel-length in a conventional organic TFT structure because of process limitations in the means of narrowing the length of the gate electrode to increase a W/L ratio. In the present invention, a channel-length of an organic TFT is controlled with higher reproducibility.

Claim 16 has been amended to recite that a semiconductor film comprises an organic material. Shimbo appears to teach an amorphous silicon film, poly silicon film or recrystallized silicon film and a GaAs semiconductor film (column 4, lines 42-49). However, Shimbo does not teach that a semiconductor film comprises an organic material, either explicitly or inherently.

Since Shimbo does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

The Official Action rejects claim 17 as obvious based on the combination of Shimbo and U.S. Patent No. 4,547,789 to Cannella. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the

teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

Please incorporate the arguments above with respect to the deficiencies in Shimbo. Cannella does not cure the deficiencies in Shimbo. The Official Action relies on Cannella to allegedly teach the features of dependent claim 17. Specifically, the Official Action relies on Cannella to allegedly teach etching an exposed side surface so as to be slanted to an insulating surface (page 4, Paper No. 20060712). However, Shimbo and Cannella, either alone or in combination, do not teach or suggest that a semiconductor film comprises an organic material. Since Shimbo and Cannella do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New dependent claims 26 and 27 have been added to recite additional protection to which the Applicant is entitled. The features of claim 26 are supported in the present specification, for example, by page 10, lines 8-12, and the features of claim 27 are supported in the present specification, for example, by page 9, lines 18-20. For the reasons stated above and already of record, the Applicant respectfully submits that new claims 26 and 27 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789